COMMITTEE AMENDMENT FORM

DATE: 04/26/05

COMMITTEE ZONING PAGE NUM. (S)

ORDINANCE I. D. #<u>05-O-0530</u> SECTION (S)

RESOLUTION I. D. #05-R- PARA.

AMENDS THE LEGISLATION BY ATTACHING THREE (3) CONDITIONS ON A SEPARATE SHEET.

AMENDMENT DONE BY COUNCIL STAFF 4/27/05

City Council Atlanta, Georgia

05-O-0530

A SUBSTITUTE ORDINANCE BY: ZONING COMMITTEE

Date Filed: 2-8-05

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **3471 Atlanta Industrial Parkway, N.W.**, be changed from the I-1 (Light Industrial) District and the I-2 (Heavy Industrial) District to the I-2 C (Heavy Industrial Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lots, 261, 262. 266 and 267, 17th District, Fulton County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

<u>SECTION 3.</u> That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

<u>SECTION 4.</u> That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Conditions for Z-05-06 for 3471 Atlanta Industrial Parkway, N.W.

- 1. Junkyards, automobile salvage yards or scrap metal processors where such activity is wholly enclosed within a building shall not be allowed.
- 2. Manufacturing, wholesaling, repairing, compounding, assembly, processing, preparation, packaging or treatment of articles, foods, components, products, clothing, machines and appliances and the like shall not be allowed where character of operations, emissions and by-products create adverse effects beyond the boundaries of the property.
- 3. Heavy drop hammers, punch presses or other machinery; or processing methods creating excessive noise or vibration shall be prohibited.

City Council Atlanta, Georgia

05- 0 -0530

AN ORDINANCE BY: ZONING COMMITTEE **Z-05-06** Date Filed: 2-8-05

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

<u>SECTION 1.</u> That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **3471 Atlanta Industrial Parkway, N.W.**, be changed from the I-1 (Light Industrial) District and the I-2 (Heavy Industrial) District to the I-2 (Heavy Industrial) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lots, 261, 262. 266 and 267, 17th District, Fulton County, Georgia, being more particularly described by the attached legal description.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

<u>SECTION 3.</u> That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

<u>SECTION 4.</u> That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

EXHIBIT "A"

All that tract of parcel of land lying and being in Land Lots 261, 262 and 267 of the 17th District, Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point of the southeasterly right-of-way line of Atlanta Industrial Drive, which point is located North 77 degrees 56 minutes 38 seconds East a distance of 30.00 feet from the point formed by the intersection of the northeasterly right-of-way line of Atlanta Industrial Parkway, as extended, with said southeasterly right-of-way line of Atlanta Industrial Drive, as extended, and running thence along said southeasterly right-of-way line of Atlanta Industrial Drive North 77 degrees 56 minutes 38 seconds East a distance of 161.17 feet to an iron pin set; thence North 77 degrees 56 minutes 38 seconds East a distance of 187.15 feet to an iron pin set; thence South 23 degrees 24 minutes 30 seconds West a distance of 525.82 feet to an iron pin set; thence South 33 degrees 07 minutes 10 seconds West a distance of 62.11 feet to an iron pin set on said northeasterly right-of -way line of Atlanta Industrial Parkway; thence along said northeasterly right-of-way line of Atlanta Industrial Parkway the following courses and distances: North 18 degrees 37 minutes 06 seconds West a distance of 226.81 feet to a point; and arc distance of 57.26 feet to a point (said arc having a radius of 500.00 feet and being subtended by a chord to the right bearing North 15 degrees 20 minutes 14 seconds West a chord distance of 57.23 feet); and North 12 degrees 03 minutes 22 seconds West a distance of 159.59 feet to a point; thence an arc distance of 47.12 feet to the POINT OF BEGINNING (said arc having a radius of 30.00 feet and being subtended by a chord to the right bearing North 32 degrees 56 minutes 38 seconds East a chord distance of 42.43 feet); said tract or parcel of land containing 2.1815 acres and being Boundary Survey for Trust Company Bank, Lawyers Title, and James H. Topple plepared by Venable & Associates, Allen L. Venable, Jr., Georgia Registered Land Surve 1761, dated August 14, 1992, last revised December 22, 1994.

> U-05-09 Z-05-06

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